

### **REMARKS**

Before entry of this Amendment and Response, the status of the application according to the pending Office action is as follows:

- Claims 1-5 are allowed.
- Claims 6, 8, 10, 12, and 14 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 4,505,780 to Sowards (“Sowards”).
- Claims 6-9 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,123,992 to Kanda *et al.* (“Kanda”).
- Claims 10-11 and 13-14 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,304,266 to Becking (“Becking”).
- Claims 15 is withdrawn from further consideration by the examiner, under 37 C.F.R. 1.142(b), as being drawn to a non-elected invention.

Applicant acknowledges the oral election of claims 1-14 made by Applicant’s representative during the telephone conversation of December 3, 2004.

Applicant hereby cancels claim 15 without prejudice and adds new claims 16-19. Support for new claims 16-19 can be found at least at paragraphs [0016], [0025], and [0038], and FIGS. 3, 4A, and 5A of the specification as originally filed. In addition, claims 6, 10, and 14 are hereby amended to more clearly define the subject matter of Applicant’s invention. Support for the amendments may be found in the specification as filed, and at least in paragraphs [0025] and [0036], and FIGS. 3, 4A, and 5A. No new matter has been added thereby.

In view of the above amendments and the following remarks, Applicant respectfully requests reconsideration and withdrawal of all grounds of rejection and passage of claims 1-14 and 16-19 to allowance.

1. Claims 6, 8, 10, 12, and 14 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Sowards. Applicant respectfully traverses this rejection as applied to the claims, as amended.

Sowards appears to disclose an apparatus for joining two pieces of unfinished weatherstripping. The apparatus includes a base and holders to position the weatherstripping, thus allowing heated knives to cut through the ends of each piece of weatherstripping and form two clean, straight ends. By removing one part of each holder, the two pieces can then be slid together until the ends of each piece contact, at which time a piece of heat-weldable material is placed over the lower surface of the butted ends and the strips welded together.

Applicant's amended independent claim 6 recites, in part, "a blade moveably coupled to the base for longitudinally shaving a portion of the sealing element from the weatherstripping." In contrast to Applicant's independent claim 6, Sowards does not teach an apparatus wherein a blade is "moveably coupled to the base for longitudinally shaving a portion of the sealing element from the weatherstripping." The blade taught by Sowards is designed to cut *completely through* two pieces of unfinished weatherstripping, and only allows a *linear, vertical movement* of the blade in a direction *perpendicular* to the longitudinal extent of the weatherstripping. (See Sowards column 2, lines 40-45, and FIG. 1). As such, Sowards fails to teach a blade for *shaving a portion* of the sealing element in a *longitudinal* direction.

Accordingly, Applicant respectfully submits that claim 6 is patentable over Sowards under 35 U.S.C. § 102(b). Because claim 8 depends, either directly or indirectly, from claim 6 and includes all respective limitations thereof, Applicant respectfully submits that this claim is patentable as well.

In contrast to Applicant's independent claim 10, Sowards does not teach joining two pieces of weatherstripping in "linearly partially overlapping contact," wherein the two pieces are joined "at the point of overlapping contact." Rather, Sowards teaches, at column 2, lines 64-66, "*abutting* the ends of the two strips," wherein the two pieces of weatherstripping are placed end to end *without* any overlap. Sowards further teaches at column 3, lines 5-11, placing a separate piece of heat fusible material across the abutted strips, and then using an ultrasonic welding horn to connect the two strips by welding them both to the separate heat fusible material. As such, by requiring the addition of a third, separate, connecting element, Sowards teaches away from *directly* joining two pieces of weatherstripping in overlapping contact.

Accordingly, Applicant respectfully submits that claim 10 is patentable over Sowards under 35 U.S.C. § 102(b). Because claim 12 depends directly from claim 10 and includes all respective limitations thereof, Applicant respectfully submits that this claim is patentable as well.

Applicant's independent claim 14 recites, in part, "longitudinally shaving a predetermined amount of a portion of a sealing element from the first piece of weatherstripping" and "joining the first piece of weatherstripping and a second piece of weatherstripping in a linearly partially overlapping configuration." For the same reasons discussed above with respect to independent claims 6 and 10, Applicant respectfully asserts that Sowards fails to anticipate Applicant's independent claim 14. Specifically, Sowards fails to teach a blade for "*longitudinally shaving*" a portion of the sealing element of a first piece of weatherstripping, but rather teaches *completely cutting* the ends of two strips. Further, Sowards fails to teach joining two pieces of weatherstripping in an "*overlapping configuration*," but rather recites joining two pieces of weatherstripping that merely *abut*, by using a separate piece of heat fusible material

placed on top of the abutting strips to connect the two pieces. Accordingly, Applicant respectfully submits that claim 14 is patentable over Sowards under 35 U.S.C. § 102(b).

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 6, 8, 10, 12, and 14 under 35 U.S.C. § 102(b) as being anticipated by Sowards.

2. Claims 6-9 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Kanda. Applicant respectfully traverses this rejection as applied to the claims, as amended.

Briefly, Kanda appears to disclose an apparatus for editing a piece of recording tape. The apparatus includes a base for holding the tape and a cutter secured to the base for cutting a piece of tape placed on the apparatus. After cutting the tape, Kanda teaches joining a separate piece of tape to the cut piece by abutting the two sections in the center of the apparatus and joining with a piece of adhesive tape.

Applicant's amended independent claim 6 recites, in part, an apparatus for "longitudinally shaving a portion of the sealing element from the weatherstripping." In contrast to Applicant's independent claim 6, Kanda does not teach an apparatus wherein the blade "longitudinally shav[es] a portion of the sealing element from the weatherstripping." The cutter taught by Kanda does not *shave* a portion of material from a strip in a *longitudinal* direction. Rather, the blade in Kanda is coupled to its base in a manner that allows only a *vertical movement* of the cutter in a direction *perpendicular* to the longitudinal extent of the strip. (See Kanda column 3, lines 55-62, and FIG. 2). Furthermore, Kanda does not teach "*shaving a portion* of the sealing element," but rather teaches, at least at column 3, line 41 through column 4, line 13, *completely cutting* the tape along a designated line. Accordingly, Applicant respectfully submits that claim 6 is patentable over Kanda under 35 U.S.C. § 102(b). Because

claims 7- 9 depend directly from claim 6 and include all respective limitations thereof, Applicant respectfully submits that these claims are patentable as well.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 6-9 under 35 U.S.C. § 102(b) as being anticipated by Kanda.

3. Claims 10-11 and 13-14 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Becking. Applicant respectfully traverses this rejection as applied to the claims, as amended.

Briefly, Becking appears to disclose an apparatus for joining two ends of impact printer ribbon to form a continuous loop of ribbon. The apparatus includes four pairs of guide bars for facilitating the manual positioning of the ends of the ribbon in a crisscross arrangement, and tensioning slides that hold the ends in place while applying tension to the ribbon. A welding fixture is then applied to weld together the portion of the ribbon ends in the crisscross arrangement, after which the two loose ends of the ribbon are severed by a cutter.

Applicant's amended independent claim 10 recites, in part, "a channel for receiving a first piece of weatherstripping at one end and a second piece of weatherstripping at an opposite end." In contrast to Applicant's independent claim 10, Becking does not teach an apparatus including "a channel for receiving a first piece of weatherstripping at one end and a second piece of weatherstripping at the opposite end." Rather, Becking discloses, at column 2, lines 65-67, positioning the two ribbon ends using guide means, wherein "the guide means includes four pairs of guide bars positioned on the fixture so as to define crisscrossed alignment paths." These guide bars do not constitute *a channel* where the two ribbon ends are inserted at *opposite ends*.

Furthermore, Applicant's amended independent claim 10 recites, in part, "wherein the first and second pieces of weatherstripping slide relative to each other along the channel into linearly partially overlapping contact." Becking does not disclose *sliding* two pieces of

weatherstripping into *linearly* partially overlapping contact. Rather, Becking teaches, at column 2, lines 57-59, “positioning the ribbon ends in a *crisscross* arrangement,” wherein the ribbons are positioned by being held in place by an operator while simultaneously engaging a ribbon clamp (See Becking, column 3, lines 7-13).

Accordingly, Applicant respectfully submits that claim 10 is patentable over Becking under 35 U.S.C. § 102(b). Because claims 11 and 13 depend directly from claim 10, and include all respective limitations thereof, Applicant respectfully submits that these claims are patentable as well.

Applicant’s independent claim 14 recites, in part, “joining the first piece of weatherstripping and a second piece of weatherstripping in *a linearly partially overlapping configuration*.” For the same reasons discussed above with respect to independent claim 10, Applicant respectfully asserts that Becking fails to anticipate Applicant’s independent claim 14. Specifically, Becking fails to disclose joining two pieces of weatherstripping in a “*linearly partially overlapping configuration*,” but rather recites, at column 2, lines 57-59, joining two pieces of weatherstripping which are overlapped in a “*crisscross arrangement*.” Further, Applicant’s independent claim 14 also recites “*longitudinally shaving* a predetermined amount of a portion of a sealing element from the first piece of weatherstripping.” Becking fails to teach *longitudinally shaving* a first strip of material, but in fact teaches, at column 3, lines 59-64, moving the cutter to completely *sever* the ribbon transversely along a predetermined path. Accordingly, Applicant respectfully submits that claim 14 is patentable over Becking under 35 U.S.C. § 102(b).

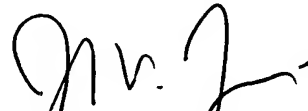
In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 10-11, and 13-14 under 35 U.S.C. § 102(b) as being anticipated by Becking.

4. Applicant has added new claims 16-19. Applicant respectfully submits that claims 16-19 are patentable, at least because they depend, either directly or indirectly, from patentable independent claim 6. Accordingly, Applicant respectfully requests allowance of claim 16-19 in due course.

### CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration, withdrawal of all grounds of rejection, and allowance of claims 1-14 and 16-19 in due course. The Examiner is invited to contact Applicant's undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,



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